

Message Text

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ACTION IO-10

INFO OCT-01 CIAE-00 CU-02 INR-07 NSAE-00 USIA-06 EUR-12

ISO-00 L-02 OIC-02 /042 W
----- 073419

P R 021753Z APR 75

FM AMEMBASSY PARIS

TO SECSTATE WASHDC PRIORITY 8077

INFO AMEMBASSY BONN

USMISSION USBERLIN

USMISSION GENEVA

C O N F I D E N T I A L SECTION 01 OF 02 PARIS 08248

NESCO

E.O. 11652: GDS

TAGS: PORG, UNESCO, US, FR, UK

SUBJECT: US, UK, GOF NOTES TO UNESCO DG ON INTERNATIONAL CONVENTIONS AND STATUS OF WEST BERLIN.

1. UK DEPUTY PERMREP (BIRRELL) HAS DISCUSSED WITH PERMDEL AND SENT CONFIDENTIAL LETTER, APRIL 1, CONCERNING "DRAFT OMNIBUS REPLIES" WHICH WOULD BE SENT SIMULTANEOUSLY, BUT SEPARATELY BY US, UK, AND FRANCE PERMDELS TO UNESCO DIRECTOR GENERAL. ACCORDING TO BIRRELL'S LETTER, THERE WAS A MEETING IN BONN ON DECEMBER 19, 1974 OF REPRESENTATIVES FROM UK, US AND FRENCH EMBASSY THAT REACHED AD REFERENDUM AGREEMENT ON THE FORM AND TEXTS OF LETTERS THAT SHOULD BE SENT BY THESE COUNTRIES RESPECTIVE DELEGATIONS AT IAEA, GENEVA, AND UNESCO. LETTERS PROPOSED HERE WOULD BE IN RESPONSE TO NOTES SENT TO UNESCO DG BY THE GDR, UKRAINIAN AND BYELORUSSIAN GOVERNMENTS. LATTER RAISED THE STATUS OF WEST BERLIN WITH SPECIFIC REFERENCE TO FRG POSITIONS TAKEN CONCERNING BOROBUDUR FUND, THE UNIVERSAL COPYRIGHT CONVENTION, THE CONVENTION AGAINST DISCRIMINATION IN EDUCATION, THE CONVENTION FOR PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT, AND THE CONVENTION ON THE
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MEANS OF PROHIBITING AND PREVENTING THE ILLICIT IMPORT OF CULTURAL PROPERTY.

2. TEXT TRANSMITTED HERewith OF OMNIBUS NOTE TO BE SENT TO DG IN RESPONSE TO FOLLOWING CATEGORY I UNESCO CIRCULAR LETTERS: CL/2349 OF MARCH 15, 1974, ADVISING OF GDR NOTE TO DG RE BOROBUDUR FUND; CL/2362 OF MAY 24, 1974, ADVISING OF GDR NOTE TO DG ON UNIVERSAL COPY-RIGHT CONVENTION; AND CL/2385 OF AUGUST 25, 1974, ADVISING RESPECTIVELY OF BYELORUSSIAN AND UKRAINIAN NOTES TO DG, ALSO ON UCC:

QUOTE 1: I HAVE THE HONOR TO REFER TO THE FOLLOWING DOCUMENT: (HERE SHOULD FOLLOW A LIST OF RELEVANT NOTES CIRCULATED IN UNESCO).

QUOTE 2: THE GOVERNMENT OF (BLANK) WISHES TO POINT OUT THAT THE STATES WHOSE NOTES ARE CONTAINED IN THE ABOVE MENTIONED DOCUMENT ARE NOT PARTIES TO THE QUADRIpartite AGREEMENT OF 3 DECEMBER 1971 WHICH WAS CONCLUDED IN BERLIN BY THE GOVERNMENTS OF THE FRENCH REPUBLIC, THE UNION OF THE SOVIET SOCIALIST REPUBLICS, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND OF THE UNITED STATES OF AMERICA, AND ARE NOT THEREFORE COMPETENT TO COMMENT AUTHORITATIVELY ON ITS PROVISIONS.

QUOTE 3: THE ABOVE NOTES CONTAIN INCOMPLETE AND THEREFORE MISLEADING REFERENCES TO THE QUADRIpartite AGREEMENT. IN THIS CONNECTION, THE GOVERNMENT OF (BLANK) WISHES TO DRAW ATTENTION TO THE FACT THAT THE PROVISION OF THE QUADRIpartite AGREEMENT REFERRED TO IN THE NOTES STATES THAT "THE TIES BETWEEN THE WESTERN SECTORS OF BERLIN AND THE FEDERAL REPUBLIC OF GERMANY WILL BE MAINTAINED AND DEVELOPED, TAKING INTO ACCOUNT THAT THESE SECTORS CONTINUE NOT TO BE A CONSTITUENT PART OF THE FEDERAL REPUBLIC OF GERMANY AND NOT TO BE GOVERNED BY IT."

QUOTE 4. THE GOVERNMENT OF (BLANK) DOES NOT CONSIDER IT NECESSARY, NOR DOES IT INTEND TO RESPOND TO ANY FURTHER COMMUNICATIONS CONTAINING INCOMPLETE AND MISLEADING
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REFERENCES TO PROVISIONS OF THE QUADRIpartite AGREEMENT FROM STATES WHICH ARE NOT SIGNATORIES TO THAT AGREEMENT. THIS SHOULD NOT BE TAKEN TO IMPLY ANY CHANGE IN THE POSITION OF THE GOVERNMENT IN THIS MATTER.

QUOTE 5. (APPROPRIATE FORM OF WORDS TO ACHIEVE SAME CIRCULATION AS NOTES REFERRED TO ABOVE.)

3. TEXT TRANSMITTED HERewith OF NOTE TO BE SENT TO DG IN RESPONSE TO FOLLOWING CATEGORY II UNESCO CIRCULAR

LETTERS: CL/2399 OF SEPT. 6, 1974, ADVISING OF GDR NOTE

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ACTION IO-10

INFO OCT-01 CIAE-00 CU-02 INR-07 NSAE-00 USIA-06 EUR-12

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P R 021753Z APR 75

FM AMEMBASSY PARIS

TO SECSTATE WASHDC PRIORITY 8078

INFO AMEMBASSY BONN

USMISSION USBERLIN

USMISSION GENEVA

C O N F I D E N T I A L SECTION 02 OF 02 PARIS 08248

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TO DG RE CONVENTION AGAINST DISCRIMINATION IN EDUCATION,
AND CL/2351 OF APRIL 30, 1974, ADVISING OF GDR NOTE TO
DG RE CONVENTION FOR PROTECTION OF CULTURAL PROPERTY IN
THE EVENT OF ARMED CONFLICT:

QUOTE 1: (OPENING PARAGRAPH REFERRING TO APPROPRIATE
DOCUMENT.)

QUOTE 2: THE COMMUNICATIONS NOTED ABOVE CONTAINING
NOTES FROM THE GOVERNMENT OF THE GDR REFERS TO THE
QUADRIpartite AGREEMENT OF 3 SEPT. 1971. THIS AGREEMENT
WAS CONCLUDED IN BERLIN BY THE GOVERNMENTS OF THE FRENCH
REPUBLIC, THE UNION OF THE SOVIET SOCIALIST REPUBLICS,
THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRE-
LAND AND OF THE UNITED STATES OF AMERICA. CONSEQUENTLY
THE GOVERNMENT OF THE GDR, NOT BEING A PARTY TO THIS
AGREEMENT, IS NOT COMPETENT TO MAKE AUTHORITATIVE
COMMENT ON ITS PROVISIONS.

QUOTE 3: THE QUADRIpartite AGREEMENT DOES NOT IMPOSE

ANY REQUIREMENTS REGARDING TERMINOLOGY TO BE USED BY THE
FEDERAL REPUBLIC OF GERMANY WHEN EXTENDING TO THE
WESTERN SECTORS OF BERLIN TREATIES OR AGREEMENTS TO
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WHICH IT HAS BECOME A PARTY NOR, OF COURSE, DOES THE
AGREEMENT AFFECT TERMINOLOGY USED IN THE PAST.

QUOTE 4: IN ANY CASE THE USE BY THE FEDERAL REPUBLIC
OF GERMANY OF THE TERMINOLOGY MENTIONED IN THE NOOTES
UNDER REFERENCE CAN IN NO WAY AFFECT QUADRIpartite
AGREEMENTS OR DECISIONS RELATING TO BERLIN.

QUOTE 5: CONSEQUENTLY THE VALIDITY OF THE BERLIN DECLARATION
MADE BY THE FEDERAL REPUBLIC OF GERMANY IS UN-
AFFECTED BY THE USE OF THIS TERMINOLOGY.

QUOTE 6: THE GOVERNMENT OF (BLANK) DOES NOT CONSIDER
IT NECESSARY NOR DOES IT INTEND TO RESPOND TO ANY FURTHER
COMMUNICATIONS OF A SIMILAR NATURE BY STATES WHICH ARE
NOT SIGNATORIES TO THE QUADRIpartite AGREEMENT. THIS
SHOULD NOT BE TAKEN TO IMPLY ANY CHANGE IN THE POSITION
OF THE GOVERNMENT IN THIS MATTER.

QUOTE 7: APPROPRIATE FORM OF WORDS TO ACHIEVE SAME
CIRCULATION AS DOCUMENTS REFERRED TO ABOVE.

4. BIRRELL ADVISES THAT USUN ALSO BEING APPROACHED BY
UK TO UNDERTAKE SIMILAR ACTION.

5. PERMDEL WOULD APPRECIATE, SOONEST, DEPARTMENT'S
INSTRUCTIONS CONCERNING SENDING OF ABOVE NOTES TO
UNESCO DG.

6. PERMDEL RECORDS SHOW THAT UNESCO CL'S RESPECTIVELY
SENT TO DEPARTMENT AS FOLLOWS: CL/2349 ON MARCH 15,
1974; CL/2362 ON MAY 24, 1974; CL/2385 ON AUGUST 25,
1974; CL/2399 ON SEPT. 6, 1974; AND CL/2351 ON APRIL 30,
1974. OF COURSE, UNESCO ALSO SENT ORIGINALS TO DEPT.
IN ACCORDANCE WITH STANDARD SECRETARIAT PRACTICE.

7. PLEASE ADVISE.
RUSH

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Message Attributes

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